

behalf of the public entity for which the public entity is legally responsible.

Subd. 3. **SEVERABILITY.** When a contract contains a provision that is void and unenforceable under subdivision 2, that provision must be severed from the other provisions of the contract to the extent that it is void and unenforceable. The fact that the provision is void and unenforceable does not affect the other provisions of the contract.

Subd. 4. **SCOPE AND EFFECT.** Subdivision 2 does not make void and unenforceable any contract provision of a public works contract that:

(1) requires notice of any delay, disruption, or acceleration by the party affected thereby;

(2) provides for reasonable liquidated damages; or

(3) provides for arbitration or any other procedure designed to settle contract disputes.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective August 1, 2002, and applies to public works contracts entered into on or after that date.

Presented to the governor March 26, 2002

Signed by the governor March 27, 2002, 3:38 p.m.

CHAPTER 300—S.F.No. 2793

An act relating to health services; requiring the commissioner of human services to develop a plan to certify out-of-state facilities that care for children with severe emotional disturbance.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. PLAN TO CERTIFY OUT-OF-STATE FACILITIES THAT CARE FOR CHILDREN WITH SEVERE EMOTIONAL DISTURBANCE.

The commissioner of human services shall develop a plan to expand the provisions of Minnesota Statutes, section 256B.0945, to allow medical assistance to reimburse counties for children's mental health residential treatment services provided in out-of-state facilities located in the border states of Iowa, North Dakota, South Dakota, and Wisconsin. The commissioner's plan must include a certification procedure in lieu of state licensing for these out-of-state facilities and a method to set rates for out-of-state care comparable to those paid for care provided by in-state facilities. The plan, including proposed legislation, is due to the house of representatives and senate committees having jurisdiction over human services issues by December 15, 2002.

New language is indicated by underline, deletions by ~~strikeout~~.

Presented to the governor March 26, 2002

Signed by the governor March 27, 2002, 3:38 p.m.

CHAPTER 301—S.F.No. 3244

An act relating to evidence; authorizing electronic signature on certain laboratory blood sample reports; amending Minnesota Statutes 2000, section 634.15, subdivision 1.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2000, section 634.15, subdivision 1, is amended to read:

Subdivision 1. **CERTIFICATES OF ANALYSIS; BLOOD SAMPLE REPORTS.** In any hearing or trial of a criminal offense or petty misdemeanor or proceeding pursuant to section 169A.53, subdivision 3, the following reports shall be admissible in evidence:

(a) A report of the facts and results of a laboratory analysis or examination if it is prepared and attested by the person performing the laboratory analysis or examination in any laboratory operated by the bureau of criminal apprehension or authorized by the bureau to conduct an analysis or examination, or in any laboratory of the federal bureau of investigation, the federal postal inspection service, the federal bureau of alcohol, tobacco and firearms, or the federal drug enforcement administration; and

(b) A report of a blood sample withdrawn under the implied consent law if:

(i) The report was prepared by the person who administered the test;

(ii) The person who withdrew the blood sample was competent to administer the test under section 169A.51, subdivision 7; and

(iii) The report was prepared consistent with any applicable rules promulgated by the commissioner of public safety.

A report described in clause (a) purported to be signed by the person performing the analysis or examination in a laboratory named in that clause, or a blood sample report described in clause (b) purported to be signed by the person who withdrew the blood sample shall be admissible as evidence without proof of the seal, signature or official character of the person whose name is signed to it. The signature in clause (a) or (b) can be written or in electronic format.

Presented to the governor March 26, 2002

Signed by the governor March 27, 2002, 3:37 p.m.

New language is indicated by underline, deletions by ~~strikeout~~.